

Copy of Letter from H. R. Linderman Mint director to S. T. Sturgut
Acting Commissioner of Patents Sept. 8 1854.

Mint of the United States
Philad.a Sept. 8, 1854

Sir,

Your letter of the 5th inst. has been received. In reply I have to state that there are three instruments known at the Mint, answering to your inquiry; and there may be others.-- One was an invention of William M. Snider of Philadelphia, and first manufactured about six years ago, at which time Mr. S. was a machinist in the Mint. It is mentioned in the first edition of a small work on Coins and Bullion, by the Assayers of the Mint (December 1849) but not minutely described. It is used in the Office of the Assistant Treasurer at Philadelphia, and by several banks.-- Another instrument is on a similar principle, but the coins are inserted horizontally, while in the former they are put in upright.-- A printed description of the latter is at hand, and is herewith enclosed. It is a more cheaply made instrument than Sniders, and does not work so accurately. We have had it several years.-- A third instrument, manufactured, and I suppose invented, by F. Meyers & Co. balance makers, Philadelphia, is on the same principle, varying in detail, and more portable than the others, though all are convenient enough as to size. A description or drawing of this might be obtained from the manufacturers. We have had one for several years.

All of these instruments respond perfectly to the general terms stated in your letter; "An arm pivoted near its center or otherwise, and containing cavities of the proper sizes to receive the various coins, so situated with regard to the fulcrum, that if genuine, an equilibrium is attained.

I am very Respectfully,
H. R. Linderman
for the Director.

S. T. Sturgut, Esq.
Act. Comms. of Patents.
Washington City.

Copy of letter sent from the U.S. Patent Office to John Allender
Sept. 12, 1854

U.S. Patent Office
Sept. 12 1854

Sir,

Upon examination of your application for Letters Patent for an alleged improvement in Coin Detectors, there is discovered no difference between your present alleged invention & that rejected under date of Apr. 19 1850; and the office again refers you to the U.S. Mint at Philadelphia, where instruments similar to that claimed by you are and have some time been in use.

Respectfully Yours,

John Allender, Esq.
Care of J. Dennis, jr.
Washington, D.C.

W. C. L.

Copy of letter from U.S. Patent Office to John Allender 15 Jan.
1855

U. S. Patent Office
Jany- 15 1855

Sir,

In accordance with the verbal request of your agent the office has addressed the Director of the U.S. Mint at Philadelphia, & learned that the instrument there employed & to which you have been referred, is identical with your own, & that it was purchased some three or four years since at a shop in Chesnut St. If therefore the instrument is your own, by its abandonment to the public you have prevented yourself from obtaining a patent therefor- Your application must accordingly again stand rejected.

Respectfully Yours

John Allender, Esq.
Care of Jon. Dennis, jr.
Washington D.C.

W.C.L.

Copy of letter from Henry Troemner to C. Mason Jan. 16 1855

Phila Jany 16th 1855

To C. Mason Esq. Comms of Patents.

Dr Sir

I have received your Communication of the 6th inst. addressed to F. Meyer & Co. in regard to the instrument used in the U.S. Mint for the detection of Counterfeit Gold coin - as you have Stated "made by us".

The partnership of Meyer & Co¹⁹ is dissolved - the business is now carried on by H. Troemner one of the firm.

The balance to which you refer, was invented and made by Mr. W. M. Snider of the U.S. Mint - We have made a few by his direction, and are prepared to execute orders for them under his instructions.

As it is not convenient to make a drawing I send you pr Adams Express one of the Balances which has been in use for several years -- You can therefore judge for yourself of its Efficacy. it was made before the \$3 piece was coined, the principle will allow it to be extended indefinitely

Mention is made of it on page 36 of a work entitled "New Varieties of Coins and Bullion" by the Assayers of the U.S. Mint - which I take the liberty of transcribing " If the counterfeit should happen to be of right weight, then its too great thickness, would be apparent to a careful Examiner, & as the Balance is not a very portable or ready apparatus, several instruments have been contrived expressly for the purpose of trying Gold coin -- We know of none more ready & effectual than one lately invented by Mr. W.M. Snider, machinist in the U.S. Mint -- Its value is attested by Mr. Parry Clerk in the Office of the Assistant Treasurer, of the U.S. Mint at Philadelphia who has one in constant use -- Its merits consist in enabling the Experimenter to decide by a single move, as to the weight, diameter & thickness, of any of the coins in our Series -- in being so carefully adjusted, as to detect any known counterfeit, by one or other of these measurements, and in a general simplicity of arrangement which obviates the liability to "get out of order"

You will oblige by returning the Balance (pr Adams Express) to Mr. W.M. Snider at the U.S. Mint in this city -- at your earliest convenience

Respectfully
Henry Troemner

Transcript copy of letter from John Allender to Charles Mason dated March 21, 1855, from ~~XXXXXXXXXXXXXXXXXXXX~~
~~XXXX~~.

To Hon". Charles Mason. Commissioner of Patents.

Sir,

Your letter of the 15 ult". was duly received and contents noted. You state upon the authority of a letter from the Director of the Mint that the Instrument " was purchased some three or four" "years since at a shop on Chesnut Street Philadelphia. If" "therefore the Instrument is your own, by its abandonment to the" "Public, you have prevented yourself from obtaining a Patent:" "therefore: your application must accordingly again stand" "rejected."

I therefore ask your consideration of the following statement (vis). It appears by the records of the Patent Office that I filed an application for a Patent for this Invention the 26th of March 1850: and that the papers were returned for amendment the 11th of April 1850: the papers were amended + returned to the Office, the 18th of the same month; and rejected the 19th: refering to the "United States Mint in Philidelphia: and stated that "no more definite information can at present be given".

Upon the receipt of this rejection I (John Allender) visited the Mint and exhibited my Invention to Colo. Snowden, the Treasurer: and Mr. Peal Chief Coiner, they both said " they neither had heard of nor had ever seen any thing like it: and I presented their statement in an argument dated 25th of May 1850. upon which my case was reconsidered, and rejected again the 19th of June 1850 without giving any references.

The attention of Commissioner Ewbank, was called to the case by an argument dated May the 30th 1851 who rejected my application again June 2nd. 1851. and refused to grant a Patent because in his judgement I had not Invented any thing new which decission I believe to be erroneous, because it does not appear that such an Invention had ever been made until I made it. As the Rules of the Patent Office debarred me from any farther(sic) action under that application, I was compelled to abandon it, and file another which you have refused to grant me a Patent, because the instruments were sold more than two years prior to my last application. Now the records and files of the Patent Office afford the most ample evidence that I made the greatest exertions to obtain a Patent under the first application and used due diligence, only abandoning it because the rules of the Office did not permit me to press it farther. Hence it is fully apparent that there has been no laches on my part; as I believe I made every effort that it could be reasonably expected I should make to obtain a Patent. And if after considering all the circumstances of the case, you should still consider that I am debarred from obtaining a Patent under the last application; I respectfully request you permit me to refund the money withdrawn under the first application, and allow me to

obtain a Patent upon that. I hope you will grant my request as I understand that one applicant was permitted to refund the money he had withdrawn, and go into an Interference & I believe it has been done several times.

Craving your favorable
consideration of the whole matter I remain Respectfully etc.

John Allender

By his attorney J. Dennis Jr.

Washington [3 Mo 21st 1855] perhaps March or May

Copy of letter from U.S. Patent Office to John Allender dated May 4, 1855

U. S. Patent Office
May 4th 1855

Sir,

In accordance with the request of your letter of the 21st of March, the Commissioner has himself examined the question involved therein; and it is decided that it will be equally impossible to receive back the twenty dollars & cancel the withdrawal of your former application and to grant you a patent upon your present application in view of the fact that your alleged invention has been in use & or sale for more than two years prior to the date thereof, & so far as at present appears, with your consent & allowance.

Your application must therefore again stand rejected--

Respectfully Yours,

John Allender
Care of Jonathan Dennis, jr
Washington,
D. C.

W.C.L.

Copy of letter from John Allender to Charles Mason Commissioner
Patents dated July 3, 1855

To Hon Charles Mason Com. Patents.

Sir

Your letter of May the 4th was duly received and contents noted. You say "it is decided that it will be equally impossible" "to receive back the twenty dollars and cancel the withdrawal of" "your former application and to grant you a patent upon your" "present application in view of the fact that your alleged" "invention has been in use, and on sale, for more than two years" "prior to the date thereof and so far as at present appears, with" "your consent and allowance. Your application must therefore again" "stand rejected."

In answer to the above I beg leave to reply that my first application of which the present is but a continuation as I shall presently show was filed the 26th of March 1850. in persuance of the official Circular entitled "Informationtp Persons having business to transact with the United States Patent Office" which contained the following notice viz.,
(typeset original will be indented as a modern quote would be, emphasis was in original)

To relieve applicants from the necessity and expense of employing agents to transact their business with the Patent Office, so far as it is in the power of the office to do so, the examiners are instructed to decide the questions of the novelty and patentability of inventions upon papers imperfectly prepared, if they are sufficiently perspicuous to enable them clearly to understand the invention claimed, when such papers are prepared by the inventor without the intervention of an agent. But if an agent be employed, it being presumed that he is qualified for the business which he undertakes, and needs not, nor is entitled to, instructions in relation to it, the office(which has not the time, nor is bound by law in any case to give instructions) will, in all cases, leave it to him to prepare and presentthe claims of the applicant, and will decide upon them as they are presented.

I, accordingly prepared my application Myself and presented it without sucess for a time and thrice with the aid of an agent which I believe to be competent with no better success until the Commissioners were changed. When all proceedings before the new Commissioner on my application was stopped by the following rule from the official Circular above mentioned viz.

(another quote from the circular begins top of next page)

Sec. V. OF THE PROCEEDINGS DURING EXAMINATION.
Applicants are examined and patents issued in the order in which the proper documents are completed, except in cases in which the claims so nearly resemble those undergoing examination, as to render interference probable; in which case they will be taken up and examined with the cases then under examination.

A decision deliberately made and affirmed by one Commissioner, cannot be disturbed by his successor. Some years since the evils arising from such revisions became so apparent and embarrassing, that a positive rule to that effect was adopted. It was submitted to, and approved by, the President of the United States.

As I believed myself entitled to a patent and could get no further action on the application then before the patent office; I prepared a new one, and withdrew the first and filed the second one immediately for the same invention, so that my present application although subsequent in date is in fact but a continuation of the first and should be so considered according to the ruling or decision of Chief Justice Cranch, in the case of Wade V. Mathews, see Book of Appeals patent of file records Vol. 1 page 403 a copy of which is herewith enclosed. If you require any farther testimony in the matter I will file my own affidavit corroborat[ing] by the affidavit of my attorney in proof of the proceedings in my case.

By the perserverance of my present attorney it has been satisfactorily ascertained that the references given in rejecting my application in the first instance was my own invention or in other words one of the instruments which I had made, which had found its way into the United States Mint, at Philadelphia,

Now it is extremely unfortunate for me that I have not been able to obtain a patent for my invention sooner; and that my efforts to supply the public with a convenient scale to prevent the circulation of Spurious coin without waiting for the patent to be granted should have resulted in defeating my application so long and subjected me to so much expense. I confidently hope since it has been -satisfactorily ascertained that I was refused a patent on both of my applications upon an instrument of my own make that your Honor, will as a simple act of justice and by the ruling or decision of Chief Justice Cranch decide that my last application is but a continuation of the first and grant me a patent accordingly

Respectfully Etc.

John Allender

By his atty. J. Dennis jr.

Washington July 3d 1855

Copy of letter from U.S. Patent Office to John
Allender July 10, 1855

10th

U.S. Patent Office
July 10-1855

Sir,

In reply to your letter of the 3 Inst- and the arguments therein advanced why a patent should still be granted to you for your alleged improvements in Instruments for Detecting Spurious Coin; it is replied that the application having received a personal and final decision from the late Commissioner of Patents cannot now be reopened, nor his decision reexamined by the present Acting Commissioner.

The pertinency of the decision of Judge Craunch, referred to by you, is however recognized; and should you elect to file again a new application therefor, you will be entitled to the advantage which is secured to you, by said decision--

Respectfully Yours

John Allender
Care of Jon. Dennis Jr.
Washington, D. C.

W.C.L.